

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 76/229,239
Published in the Official Gazette of July 16, 2002

TOHO CO., LTD.,

Opposer,

vs.

CARLTON AND MCGRAW
PARTNERSHIP,

Applicant.

Opposition No. 155,020

CERTIFICATE OF MAILING

I hereby certify that on October 31, 2003, this paper is being deposited with the U.S. Postal Service by "Express Mail Post Office to Addressee" service with Express Mail Label No. EV171935888US for delivery to the Commissioner for Trademarks, Box TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

Eleanor Elko
Eleanor Elko

U.S. Patent & TMOffice/TM Mail Report #78

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OPPOSER'S CONSENTED MOTION TO SUSPEND PROCEEDINGS


Opposer Toho Co., Ltd. hereby moves the Trademark Trial and Appeal Board pursuant to Rule 2.117(c) of the Trademark Rules of Practice, and with the consent of the applicant Carlton and McGraw Partnership, to suspend this opposition to permit the parties to pursue settlement discussions.

The undersigned counsel for opposer has advised counsel for applicant, Thomas I. Rozsa, Esq. of Rozsa & Chen, that opposer believes that it may be possible to resolve this matter without further litigation, and during a telephone conference on October 29, 2003, Mr. Rozsa consented to the granting of this motion to suspend to permit settlement discussions to proceed.

CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2003, I served the foregoing Opposer's Consented Motion to Suspend Proceeding on the applicant by depositing a true copy thereof in a sealed envelope, postage prepaid, in First-Class U.S. mail addressed to applicant's counsel as follows:

Thomas I. Rozsa, Esq.
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